

A BILL

FOR AN ACT TO ENABLE UNINCORPORATED TOWNS AND VILLAGES TO
VACATE PUBLIC GROUNDS.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Whenever the inhabitants residing within the limits of any incorporated town or village desire to vacate any public grounds except streets or highways, they shall file in the office of the township clerk of the township within which said ground desired to be located is situated, a petition for such vacation, signed by a majority of the property holders residing within the limits of said town or village, which petition shall describe the public grounds sought to be vacated.

SEC. 2. Said clerk shall thereupon notify the trustees of the township of said filing, and appoint a day for their meeting at his office. If said trustees shall find that said petition is signed by a majority of the property-holders residing within the limits of said unincorporated town or village, said trustees shall appoint some proper place within said unincorporated town or village, and also a day where and when shall be held an election upon the question of said vacation. Said clerk shall give at least fifteen days notice of said election, by publishing the same for two consecutive weeks in some weekly newspaper published within the limits of said town or village, the last publication to be at least fifteen days before the day fixed for said election. If no newspaper is printed therein, said clerk shall post up in four conspicuous places within said town or village, one of which shall be the post office, if there is one in the town or village, a notice stating the time and place of holding said election, and describing the public grounds sought to be vacated. Said election shall be held and the ballots cast thereat canvassed in the manner prescribed by law for general elections; *provided*, that the qualified electors residing within the limits of said unincorporated town or village shall be allowed to vote thereat. The ballots shall have upon them the words "For vacation" or "Against vacation." If a majority of the votes are "For vacation," then said public grounds shall be vacated and the title thereto revert to the original owner of the fee at the time of dedication, or to his legal representatives or assigns as the case may be; *provided, however*, that no street, alley or public highway shall be vacated thereunder.

SEC. 3. When an election has resulted in such vacation, a certificate of said result duly signed by the judges and clerks of said election shall be filed by the township clerk in the office of the recorder of deeds of such county. Said recorder shall duly record said certificate and enter a reference to such record on the margin of the record where is recorded the plat dedicating or setting apart said public grounds.